

### REMARKS

Applicant acknowledges the telephone interview of August 30, 2005 in which was discussed procedural matters related to entry of amendments to claim 12. Consistent with the Examiner's suggestion, Applicant resubmits the amendments, which were denied entry in the advisory action, and cancels rejected claims.

Since the proposed amendment now places the application in condition for allowance, Applicant requests that the amendments be entered.

The proposed amendment to claim 12 merely rearranges claim elements to ensure antecedent basis for all terms in the claim. Amendments to the dependent claims correct claim dependency.


With regard to the priority date, Applicant notes the Examiner's concern that the checkbox claiming priority under 35 USC 119 to German application had been checked "no". However, in this case, Applicant is entitled to the priority date of the PCT application by operation of section 371. Since the priority date of the PCT application is that of the German application, it follows that Applicant is entitled to the priority date of the German application.

Now pending in this application are claims 12, and 14-17, of which claim 12 is independent. These claims are indicated as being allowable. Accordingly, Applicant looks forward to a notice of allowance.

No additional fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our deposit account 06-1050, referencing attorney docket "12816-046US1."

Respectfully submitted,

Date: Aug 31, 2005

  
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